

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHOSHANA HEBSHI,

Plaintiff,

v.

UNITED STATES OF AMERICA; FRONTIER AIRLINES, INC.; JOHN BRAND, in his individual capacity; UNKNOWN FBI AGENT 1, in his individual capacity; UNKNOWN FBI AGENT 2, in his individual capacity; MARK DEBEAU, in his individual capacity; JEREMY BOHN, in his individual capacity; CAPTAIN PATRICK DRISCOLL, in his individual capacity; OFFICER GRANT, in his individual capacity; LT. M. WASIUKANIS, in his individual capacity; TOYA PARKER, in her individual capacity; DT. CARMONA, in his or her individual capacity; OFFICER JOHNSON, in his or her individual capacity; CORP. BRADLEY, in his or her individual capacity; UNKNOWN CBP OFFICER, in his individual capacity; DAVID LAKATOS, in his individual capacity; NATHANIEL DEVINS, in his individual capacity; UNKNOWN TSA AGENT 1, in his individual capacity; UNKNOWN TSA AGENT 2, in her individual capacity; ROBERT BALL, in his individual capacity; UNKNOWN ICE OFFICER, in his individual capacity; and PAUL BRUMLEY, in his individual capacity,

Defendants.

and

MARK DEBEAU, OFFICER GRANT, TOYA PARKER, DET. CARMONA, OFFICER JOHNSON, JEREMY BOHN, CAPTAIN PATRICK, DRISCOLL, LT. M. WASIUKANIS, and CORPORAL BRADLEY,

Cross-Plaintiffs,

v.

FRONTIER AIRLINES, INC.,

Cross-Defendant.

Michael J. Steinberg (P43085)
Kary L. Moss (P49759)
American Civil Liberties Union
Fund of Michigan
2966 Woodward Avenue
Detroit, MI 48201
(313) 578-6823
msteinberg@aclumich.org

Dennis D. Parker
Rachel E. Goodman
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004
(212) 549-2500/Fax: (212) 549-2651
rgoodman@aclu.org

Alan B. Havis (P36988)
Law Offices of Alan B. Havis Esq.
25505 W. 12 Mile Road, Suite 100
Southfield, MI 48034
(248) 353-3690
ahavis@AirportDefender.com
Attorney for Debeau, Grant, Parker, Carmona, & Johnson

Paula L. Wegman
Brian L. Maye
Steven L. Boldt
ADLER MURPHY & McQUILLEN LLP
20 S. Clark Street, Suite 2500
Chicago, Illinois 60603
(312) 345-0700/5-Fax: (312) 345-9860

bmaye@amm-law.com

William H. Goodman (P14173)
Julie H. Hurwitz (P34720)
Kathryn Bruner James (P71374)
Miriam R. Nemeth (P76789)
Goodman & Hurwitz, P.C.
Cooperating Attorneys, American Civil
Liberties Union Fund of Michigan
1394 E. Jefferson Ave.
Detroit, MI 48207
(313) 567-6170
mail@goodmanhurwitz.com

Anna Engh
Shelli Calland
Arjun Sethi
Sarah Tremont (P73809)
Covington & Burling LLP
1201 Pennsylvania Ave., N.W.
Washington D.C. 20004
(202) 662-6000
aengh@cov.com
scalland@cov.com
asethi@cov.com
stremont@cov.com

Attorneys for Plaintiff

Alexander A. Ayar (P69623)
Foser, Swift, Collins & Smith, P.C.
32300 Northwestern Highway, Suite 230
Farmington Hills, MI 48334-1571
(248) 538-6326/Fax:
aayar@fosterswift.com
Attorneys for Frontier Airlines

T. Joseph Seward (P35095)
Cummings McClorey Davis & Acho
33900 Schoolcraft Road
Livonia, MI 48150
(248) 261-2400/Fax:
tjseward@cmda-law.com
Attorneys for Bohn, Driscoll, Wasiukanis, & Bradley

Sarah E. Whitman, Trial Attorney
U.S. Department of Justice, Civil Division
Torts Branch – Constitutional Torts Section
P.O. Box 7146
Ben Franklin Station
Washington, DC 20044
(202) 616-0089/Fax: (202) 616-4314
Sarah.Whitman@usdoj.gov

BARBARA L. MCQUADE
United States Attorney
Lynn M. Dodge
Assistant United States Attorney
United States Attorney's Office
211 W. Fort Street, Suite 2001
Detroit, MI 48226
(313) 226-0205
Lynn.Dodge@usdoj.gov
Attorney for Brand, Lakatos, Devins, Ball, Brumley, & USA

STIPULATION AND ORDER
ALLOWING FOR AMENDMENT TO AFFIRMATIVE DEFENSES
FOR DEFENDANTS MARK DEBEAU, JEREMY BOHN,
CAPTAIN PATRICK DRISCOLL, OFFICER GRANT, LT. M. WASIUKANIS,
TOYA PARKER, DT. CARMONA, OFFICER JOHNSON,
AND CORPORAL BRADLEY

Alan B. Havis, Esq., counsel for Defendants Mark Debeau, Officer Grant, Toya Parker, Dt. Carmona, and Officer Johnson and T. Joseph Seward, Esq., counsel for Defendants Jeremy Bohn, Captain Patrick Driscoll, Lt. M. Wasiukanis and Corporal Bradley, and Rachel E. Goodman, Esq., counsel for Plaintiff, hereby stipulate to these Defendants amending their Affirmative Defenses to add a defense based on 6 U.S.C. 1104.

Agreed and stipulated to by:

/s/ T. Joseph Seward
T. JOSEPH SEWARD (P35095)

/s/ Alan B. Havis
ALAN B. HAVIS (P36988)

/s/Rachel E. Goodman
RACHEL E. GOODMAN, ESQ.

ORDER

At a session of said Court, held in the City of Detroit, County of Wayne, State of Michigan On June 11, 2013.

Hon. Terrence G. Berg
UNITED STATES DISTRICT JUDGE

This matter having come before the Court, and the Court being otherwise sufficiently advised of the premises,

IT IS ORDERED that Defendants Mark Debeau, Officer Grant, Toya Parker, Dt. Carmona, Officer Johnson, Jeremy Bohn, Captain Patrick Driscoll, Lt. M. Wasiukanis and Corporal Bradley can amend their Affirmative Defenses to add a defense based on 6 U.S.C. 1104.

S/Terrence G. Berg
HON. TERRENCE G. BERG
United States District Court Judge

Certificate of Service

I hereby certify that on **June 6, 2013**, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

SARAH MEHTA (P76024)
MICHAEL J. STEINBERG (P43085)
KARY L. MOSS (P49759)
ALAN B. HAVIS (P36988)
DENNIS D. PARKER
RACHEL E. GOODMAN
AYIRINI FONSCECA-SABUNE
LYNN M. DODGE (P38136)
WILLIAM H. GOODMAN (P14173)
JULIE HORWITZ (P34720)
KATHRYN BRUNER JAMES (P71374)
SARAH E. WHITMAN
ANNA ENGH
SHELLI CALLAND
ARJUN SETH
SARAH TREMONT (P73809)
BRIAN T. MAYE (IL 6288778)
PAULA L. WEGMAN (IL 6239491)
STEVEN L. BOLDT (IL 6302430)
ALEXANDER A. AYAR (P69623)

/s/T. Joseph Seward
Cummings, McClorey, Davis & Acho, P.L.C.
33900 Schoolcraft
Livonia, MI 48150
Phone: (734) 261-2400
Primary E-mail: tjseward@cmda-law.com
P-35095